

BEST AVAILABLE

REMARKS/ARGUMENTS

Favorable reconsideration of the present application is respectfully requested.

Claims 1-5 and 7 have been rejected under 35 USC §103(a) as being unpatentable in view of the disclosure in applicants' specification, at page 1, line 13, through page 2, line 16. Claims 1-7 have also been rejected under 35 USC §103(a) as being unpatentable over Nieman et al. and the above-noted disclosure. Claims 8-15 have been rejected under 35 USC 103(a) as being unpatentable over Nieman, the above-noted disclosure, and the King patent.

In the "Response to Arguments" section of the October 1 Official Action, it is noted that that the Declaration Under 37 CFR 1.132, submitted to establish that the statement in the present application relied upon by the Examiner in making the rejection could not be used as prior art against the applicants herein, was insufficient to overcome the rejections, in that no verified English translations of the French priority documents were of record.

Submitted with this paper, in an Appendix hereto, are certified translations of French application No. 00 08 284, filed June 28, 2000, and No. 0102948, filed March 5, 2001. It is respectfully submitted that these two translations evidence that the applications are consistent with the statements and facts set forth in the Rule 132 declaration. As such, Applicants have established that the disclosure at pages 1-2 of the present application is not available to be cited as prior art against the claims in this application.

Since all grounds of rejection currently asserted against the claims rely, in whole or in part, on the disclosure at pages 1-2 of the present application, and since this disclosure has been established to not be available as prior art with respect to the

Applicants herein, the rejections are not proper, and should be withdrawn. All of Claims 1-15 pending in this application are thus in condition for allowance.


Filed concurrently herewith is a Petition to Accept a delayed claim of priority directed to French application No. 0102948, filed March 5, 2001. No claim for priority to this application has previously been made herein. Accompanying the petition is a certified copy of the French application, and a Supplemental Application Data Sheet (SADS), filed in lieu of a Supplemental Declaration, identifying this application as one of two priority applications. Acceptance of the Petition and establishment of the claim to priority in the records of the USPTO are respectfully requested.

Applicants believe that all claims currently presented are in condition for allowance, and that the application is, in all other respects, in condition for allowance. Reconsideration and withdrawal of the rejections and passage of the application to issue at an early date are earnestly solicited.

Respectfully,

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